

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BENJAMIN CHASE,  
Plaintiff,

v.

U.S. BUREAU OF PRISONS,  
Defendant.

Case No. [21-cv-07566-JSC](#)

**ORDER OF TRANSFER**

This is a habeas case filed pro se by a federal prisoner under 28 U.S.C. § 2241. The petition is directed to the execution of Petitioner's sentence in that he contends that prison officials have unlawfully failed to calculate his presentence time credits. *See United States v. Giddings*, 740 F.2d 770, 772 (9th Cir. 1984) (federal prisoner's presentence time credit claim relates to the execution of his sentence and is properly brought 28 U.S.C. § 2241).

Petitioner is incarcerated at the United States Penitentiary in Beaumont, Texas, which lies within the venue of the United States District Court for the Eastern District of Texas. Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). This petition therefore is TRANSFERRED to the United States District Court for the Eastern District of Texas.

**IT IS SO ORDERED.**

Dated: October 15, 2021

  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge